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Office of Technology Licensing
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June 11, 1997

Jorge A. Goldstein
Sterne, Kessler, Goldstein, & Fox PLLC
1100 New York Avenue
Suite 600
Washington, DC 20005-3934

RE: Invention entitled ***DD3: A Novel Prostate-Specific Gene,
Overexpressed In Prostatic Tumors*** by Dr. William Isaacs, et.al.
JHU Ref.: DM-3173; Your Ref.: 1619.0010000

Dear Mr. Goldstein:

Following our recent meeting I discussed the Issue regarding evolution of cloning the DD3 gene with Dr. Isaacs. It is our firm belief that Dr. Isaacs is an inventor on the full length DD3 clone and its uses relating to prostate cancer.

Dr. Isaacs is a world class scientist in the field of prostate cancer genetics and gene discovery. Dr. Bussemakers came to Dr. Isaacs laboratory as a postdoctoral fellow for additional training in this field. Dr. Isaacs provided intellectual guidance and input to Dr. Bussemakers in her scientific work and she worked closely with him during this time. He carefully reviewed her results and suggested alternative approaches when impediments occurred, such as different cloning strategies for obtaining the gene. He also provided the full resources of his laboratory, including unique materials and his own insights into prostate cancer and gene cloning that made isolating the DD3 gene possible.

It is not appropriate to artificially dissect the invention into two "separate" projects for the convenience of determining inventorship. Naming Dr. Bussemakers as sole inventor may have been plausible had Drs. Isaacs and Bussemakers published the partial sequence and its association with prostate cancer, however the work was not published or otherwise disclosed to the public. Dr. Bussemakers relied on the work that was done with Dr. Isaacs for the relatively straightforward task of obtaining the remainder of the DD3 gene. Simply that Dr. Bussemakers took two additional years to obtain the remainder of the clone is irrelevant. To conclude that Dr. Isaacs is not an inventor on the full length clone is improper.



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There is the additional Issue that the work done at JHU in Dr. Isaacs lab utilized federal grant money. As such, the United States Government has certain rights and interest in this invention.

Sincerely,



Nina Ossanna, Ph.D.
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:cdr

cc: Dr. William Isaacs
Ms. Sue O'Hata (National Institutes of Health and Technology Resources)

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